

# In the United States Court of Federal Claims

No. 20-1992C

(E-filed: February 11, 2021)<sup>1</sup>

|                          |   |
|--------------------------|---|
| _____                    | ) |
| ANDE CORPORATION,        | ) |
|                          | ) |
| Plaintiff,               | ) |
|                          | ) |
| v.                       | ) |
|                          | ) |
| THE UNITED STATES,       | ) |
|                          | ) |
| Defendant,               | ) |
|                          | ) |
| and                      | ) |
|                          | ) |
| BODE CELLMARK FORENSICS, | ) |
| INC.,                    | ) |
|                          | ) |
| Intervenor-defendant.    | ) |
| _____                    | ) |

## ORDER

On January 13, 2021, pursuant to the court's December 30, 2020 order, ECF No. 12, the parties filed their joint status report which included a motion to amend the schedule in this matter. See ECF 22. Therein, the parties report on the status of the ongoing internal agency investigation concerning the procurement at issue in this bid protest, and propose an amended schedule to accommodate the same. Id. at 1-2.

In addition, the court notes that its December 30, 2020 order included the following footnote:

---

<sup>1</sup> This order was issued under seal on January 14, 2021. See ECF No. 25. Pursuant to ¶ 1 of the ordering language, the parties were invited to identify source selection, proprietary or confidential material subject to deletion on the basis that the material was protected/privileged. No redactions were proposed by the parties. See ECF 28 at 4 (joint status report). Thus, the sealed and public versions of this order are identical, except for the publication date and this footnote.

During the status conference the court proposed January 8, 2021, as the date on which the parties would file a joint status report. Upon further reflection, the court determined that a transcript of the status conference would aid the parties in ensuring that all information relayed to the court was complete and accurate. Accordingly, the court has ordered a transcript to be available on the court's docket by January 11, 2021. The joint status report will be due on January 13, 2021, in order to give the parties time to review that transcript before filing the joint status report.

ECF No. 12 at 3 n.1. The court has subsequently learned that it is unable to provide the parties access to the court-ordered transcript for a period of ninety days. The court apologizes for any confusion this error caused, and has omitted the deadline for the parties to review the transcript in the amended schedule. Should either party believe that the information relayed to the court in the initial status conference needs to be clarified, that party may order a copy of the transcript and file a status report with the court providing those clarifications. All other aspects of the court's December 30, 2020 order remain in effect.

Accordingly, for good cause shown, the court **AMENDS** the schedule, as follows:

- (1) On or before **February 3, 2021**, the parties are directed to **FILE** a **joint status report** to include:
  - (a) the status of the on-going internal agency investigation;
  - (b) the parties' positions on whether a revised schedule for filing the administrative record (AR) and the parties' motions for judgment on the AR is warranted; and
  - (c) whether any redactions are required before the court makes this order publicly available, and if so, attaching an agreed-upon proposed redacted version of the order;
- (2) On or before **February 5, 2021**, defendant is directed to **FILE** the **AR**;
- (3) On or before **February 19, 2021**, plaintiff is directed to **FILE** its **motion for judgment on the AR**;
- (4) On or before **March 5, 2021**, defendant and intervenor-defendant are directed to **FILE** their **responses** to plaintiff's motion and their **cross-motions for judgment on the AR**;

- (5) On or before **March 12, 2021**, plaintiff is directed to **FILE** its **reply** in support of its motion and its **responses** to defendant's and intervenor-defendant's motions; and
- (6) On or before **March 19, 2021**, defendant and intervenor-defendant are directed to **FILE** their **replies** in support of their motions.

IT IS SO ORDERED.

s/Patricia E. Campbell-Smith  
PATRICIA E. CAMPBELL-SMITH  
Judge